

No. 9/5/84-6Lab/1026.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workmen and the management of M/s Haryana Oxygen Ltd., 7th K.M. Delhi Road, Hissar.

BEFORE SHRI R. N. BATRA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 493/1983

between

THE MANAGEMENT OF M/S HARYANA OXYGEN LTD., 7TH K. M. DELHI ROAD,
HISSAR AND ITS WORKMEN

Present —

Shri Tek Chand Gupta, for the workmen.
None, for the management.

AWARD

In exercise of powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana referred the following dispute between the management of M/s Haryana Oxygen Ltd., 7th K. M. Delhi Road, Hissar and its workmen, to this Tribunal, for adjudication :—

Whether the workmen are entitled to the grant of bonus @ 20% for the years 1980-81 and 1981-82 ? If so, with what details ?

Notices were issued to both the parties. It may be mentioned that none appeared on behalf of the management and as such *ex parte* proceedings were ordered against them on 27th November, 1984. Shri Tek Chand Gupta, representative of the workmen, stated that the workmen had already settled their dispute with the management and that no dispute was now left between the parties. In view of the testimony of Shri Tek Chand Gupta, representative of the workmen, the dispute between the parties stands settled. The award is passed accordingly.

R. N. BATRA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

Dated the 1st February, 1985.

Endorsement No. 105, dated the 1st February, 1985.

Forwarded (four copies) to the Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

R. N. BATRA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 9/5/84-6 Lab./993.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workman and the management of M/s Gallent Engineering Enterprises Pvt. Ltd., Plot No. 42, Sector 6, Faridabad.

BEFORE SHRI R. N. BATRA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 225/1983

between

SHRI VIJAY PARTAP, WORKMAN AND THE MANAGEMENT OF M/S GALLENT
ENGINEERING ENTERPRISES PVT. LTD., PLOT NO. 42, SECTOR 6, FARIDABAD

Present —

Shri Manohar Lal, for the workman.
None, for the management.

AWARD

In exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana referred the following dispute between Shri Vijay Partap, workman and the management of M/s Gallent Engineering Enterprises Pvt. Ltd., Plot No. 42, Sector 6, Faridabad, to this Tribunal for adjudication :—

Whether the termination of service of Shri Vijay Partap was justified and in order ? If not, to what relief is he entitled ?

2. Notices were issued to both the parties. It may be mentioned that none appeared on behalf of the management on 21st January, 1985, even though they were represented previously and as such *ex parte* proceedings were ordered against them. Shri Vijay Partap, workman, appeared as WW-1 and stated that he was employed in the respondent factory on 4th July, 1979, at Rs 401 per month. He further stated that his services were terminated on 15th December, 1982, by the respondent in a revengeful spirit because the wages were not being paid to him in time and moved an application to the Authority under Payment of Wages Act in that respect and had also formed a union. He further stated that no notice pay or compensation was given to him when his services were terminated and that complaint was made to the police, where the management had agreed to pay the amount in three instalments, but they did not pay the said amount. He also stated that no amount was offered to him in cash or by bank draft or money order and that his services were terminated in an illegal manner.

3. The above testimony of the workman shows that he was in service for the last more than one year and that no notice pay or compensation was given to him at the time of termination of his service. Consequently, the provisions of section 25-F of the Industrial Disputes Act, 1947, have not been complied with and as such the claimant is entitled to reinstatement with full back wages. The award is passed accordingly.

Dated the 2nd February, 1985.

R. N. BATRA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

Endorsement No. 123, dated the 2nd February, 1985

Forwarded (four copies) to the Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

R. N. BATRA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

The 22nd February, 1985

No. 9/5/84-6Lab/1378.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Ambala, in respect of the dispute between the workman and the management of Haryana State Electricity Board through its Secretary and the Sub-Divisional Officer, H.S.E.B., Pundri (Kurukshetra).

BEFORE SHRI V. P. CHAUDHARY, PRESIDING OFFICER, LABOUR COURT, AMBALA

Reference No. 161 of 1984

(Old Reference No. 350 of 1983)

between

SHRI ISHWAR SINGH WORKMAN AND THE MANAGEMENT OF HARYANA STATE ELECTRICITY BOARD THROUGH ITS SECRETARY AND THE SUB-DIVISIONAL OFFICER, H.S.E.B., PUNDRI (KURUKSHETRA).

Present

None, for the applicant.

Shri Ishwar Chand, S. D. O. for the respondent.

AWARD

The Hon'ble Governor of Haryana in exercise of the powers conferred,—*vide* clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, referred the following disputes to the Presiding Officer, Labour Court, Faridabad, between Shri Ishwar Singh, workman and the management of Haryana State Electricity Board, Chandigarh, through its Secretary and the S.D.O. (Operation), H.S.E.B., Pundri (Kurukshetra). The terms of the reference are as under:—

“Whether the termination of services of Shri Ishwar Singh, workman, was justified and in order ? If not, to what relief is he entitled to ?”

Shri Ishwar Singh, workman, alleged that he had been in the employment of the respondent management since November, 1978. He was terminated on 14th December, 1982, illegally. Respondents were served. Shri Ishar Chand, S.D.O., appeared for the respondents. Many efforts were made to serve Shri Ishwar Singh, workman, on his address available on file through registered cover, but twice it was reported by the Postman that Shri Ishwar Singh is not available on this address. I have no alternative but to file this reference with the observations that it will be taken up as and when the applicant workman appears in this court and desired to pursue it.

V. P. CHAUDHARY,

Dated the 4th January, 1985.

Presiding Officer,
Labour Court, Ambala.

Endst. No. 331, dated 11th February, 1985

Forwarded (four copies) to the Financial Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

V. P. CHAUDHARY,

Presiding Officer,
Labour Court, Ambala.

No. 9/5/84-6Lab/1379.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Ambala, in respect of the dispute between the workman and the management of Haryana State Electricity Board through its Secretary and the Sub-Divisional Officer (Operation) H. S. E. B., Pundri (Kurukshetra).

IN THE COURT OF SHRI V. P. CHAUDHARY, PRESIDING OFFICER, LABOUR COURT, AMBALA

Reference No. 353 of 198 (Old)

Reference No. 162 of 198 (New)

SHRI NIHIL SINGH, WORKMAN AND THE MANAGEMENT OF HARYANA STATE ELECTRICITY BOARD THROUGH ITS SECRETARY AND THE SUB-DIVISIONAL OFFICER (OPERATION), HARYANA STATE ELECTRICITY BOARD, PUNDRI (KURUKSHETRA)

Prerent:-

None for the applicant.

Shri Ishwar Chand, S. D. O., for respondents.

AWARD

The Hon'ble Governor of Haryana in exercise of the powers conferred,—*vide* clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947, referred the following disputes to the Presiding Officer, Labour Court, Faridabad, between Shri Nihal Singh, workman and the management of Haryana State Electricity Board through its Secretary and the S. D. O. (Operation) H. S. E. B., Pundri (Kurukshetra). The terms of the reference are as under:—

“Whether the termination of services of Shri Nihal Singh, workman, was justified and in order ? If not, to what relief is he entitled to ?”

Shri Nihal Singh, workman, alleged that he had been in the employment of the respondent management since March, 1977. He was terminated on 14th December, 1982, illegally. Respondents were served. Shri Ishar Chand, S. D. O., appeared for the respondents. Many efforts were made to serve Shri Nihal Singh on his address available on file through registered cover (letter) but twice it was reported by the Postman that Shri Nihal Singh is not available on this address. I have no alternative but to file this reference with the observation that it will be taken up as and when the applicant workman appears in this court and desired to pursue it.

Dated the 11th January, 1985.

V. P. CHAUDHARY,
Presiding Officer,
Labour Court, Ambala.

Endorsement No. 332, dated the 11th January, 1985.

Forwarded (four copies) to the Financial Commissioner & Secretary to Government Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

V. P. CHAUDHARY,
Presiding Officer,
Labour Court, Ambala.

No. 9/5/84 6 Lab/1380.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XI V of 1947), the Governor of Haryana is pleased to Publish the following award of Presiding Officer, Labour Conrt, Ambala, in respect of the dispute between the workman and the management of M/s Haryana Roadways Kaithal (Haryana):—

IN THE COURT OF SHRI V. P. CHAUDHARY, PRESIDING OFFICER, LABOUR COURT, AMBALA

Ref. No. 177 of 1984

(Old No. 36 of 1984)

between

SHRI HARNEK SINGH, WORKMAN AND THE MANAGEMENT OF HARYANA ROADWAYS,
KAITHAL (HARYANA)

Present.—

Shri Harnek Singh, workman, in person.
Shri Ram Kishan, for the respondent.

AWARD

The Hon'ble Governor of Haryana in exercise of the powers conferred,—*vide* clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, referred the following disputes to the Presiding Officer, Labour Court, Faridabad, between Shri Harnek Singh, workman and the management of Haryana Roadways, Kaithal. The terms of the reference are as under:—

“Whether the termination of services of Shri Harnak Singh, workman was justified and in order ? If not, to what relief is he entitled to?”

Shri Harnek Singh, workman through this reference challenged the respondent General Manager, Haryana Roadways, Kaithal as well as State Transport Commissioner, Haryana, alleging that he was in the employment of respondents as Electrical Helper. He was arbitrarily terminated on 20th July, 1982. He claimed his reinstatement as well as all other benefits. Notices of the same were given to respondents. Notice was served. Shri Ram Kishan along with Shri A. R. Goel, Law Officer appeared for the respondent.

Shri Harnek Singh workman, made statement before the undersigned on 24th January, 1985, that he had compromised the dispute with the respondent. He has been taken back in the service by the respondent in the last month. His claim stands satisfied, so he withdraws his claim.

Since the workman has taken back his claim being fully satisfied, no relief remains due. Accordingly, I pass my award regarding the dispute in hand.

Dated the 4th January, 1985

V. P. CHAUDHARY,
Presiding Officer,
Labour Court, Ambala.

Endorsement No. 333, dated 11th February, 1985

Forwarded (four copies) to the Financial Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

V. P. CHAUDHARY,
Presiding Officer,
Labour Court, Ambala.